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28319 7590 03/07/2005		EXAMINER
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ART UNIT	PAPER NUMBER
2121	

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/754,065	NARIN, ATTILA
	Examiner	**Art Unit**	
	Crystal J. Barnes	2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _09 February 2005_.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20 and 22-40_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20 and 22-40_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _09 February 2005_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   The following is a Final Office Action in response to Amendment After Final

received on 9 February 2005. Claim 21 has been cancelled. Claims 22-28 have

been amended. Claims 1-20 and 22-40 remain pending in this application.

Drawings

2.   The replacement drawing sheet was received on 9 February 2005. These

drawings are acceptable.

Response to Amendment

3.   Applicant's request for reconsideration of the finality of the rejection of

the last Office action is persuasive and, therefore, the finality of that action is

withdrawn.

Response to Arguments

4.   Applicant's arguments, see Remarks pages 13-18, filed 9 February 2005 have

been fully considered but they are not persuasive.

5.   In response to applicant's argument that Mason et al. is unavailable as prior

art, Mason et al. claims priority as a continuation-in-part of USPN 6,714,969 B1 to

Klein et al. The Klein et al. reference discloses the client portion can present

various options to the user ... the options of hearing audio messages or viewing text

or still images (see column 11 lines 28-33). The client determines the message

type, for example audio or visual and dependent on the message type either

displays the text or plays the sound (see column 12 lines 27-30). The request may

be a HEADER which is sent to the client to present user message headers ... at the

request for a header appropriate information is retrieved (see column 12-13 lines

64-1).

6.   In response to applicant's argument that Himmel lacks any teaching or

suggestion of the claimed step, the Himmel reference discloses several objectives

of determining the type of client device which is requesting services from a web

server and customizing an Internet application for a variety of client devices (see

column 2 lines 20-24). Theses and other objectives are accomplished by providing

customized Internet content to a requesting client device using an intercepting

agent. The agent detects client device capability information about the requesting

client device, such as display or memory capabilities. The client request is

redirected ... according to the detected client device capability information to

retrieve a version of the requested file (see column 2 lines 25-35). The agent ...

can parse the header information (see column 2 lines 36-41). If the header

information cannot be parsed or does not contain the needed information, a

snooping operation performed ... can retrieve the needed client device information

(see column 2 lines 41-44). The request is directed to the client-smart agent

which first attempts to identify the client using the HTTP header information. If

this is unsuccessful, the client-smart agent downloads a client-snooper agent to

the client to get the information necessary about the client device to choose an

appropriate web page. (See column 6 lines 49-54.) Based on the information from

the parsing, snooping, or receiving steps, the client-smart agent determines the

appropriate web page to send the HTTP request. The selected web page is

dynamically reformatted, if necessary, according to the detected client type. (See

column 7 lines 33-39.)

7.   In response to applicant's argument that Aviani, Jr. et al. lacks teaching or

suggestion that the header identifies a characteristic of a network condition, the

Aviani, Jr. et al. reference discloses recognizing certain types of traffic by

reference to ... the HTTP header and to redirect that traffic to an appropriate

server which provides services required by that traffic (see column 8 lines 10-16).

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102

that form the basis for the rejections under this section made in this Office

action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9.   Claims 1-7, 9-13, 15-19, 22-24 and 26-40 are rejected under 35

U.S.C. 102(e) as being anticipated by USPN 6,167,441 to Himmel.

As per claim 1, the Himmel reference discloses a method of obtaining data

for an application from a server using a browser program module for accessing

information from the server by forming a request having a header, comprising the

steps of: (a) said browser program module (see column 6 lines 46-49, "client

browser 151") receiving, from the application (see column6 lines 31-33, "clients 101-

107"), a request for data ("HTTP request") offered by the server ("web server

111"); (b) transmitting, from the browser program module ("client browser 151"), a

request for the data ("HTTP request") to the server ("web server 111"), wherein

the request ("HTTP request") includes header information (see column 6 lines 49-

51, "HTTP header information") identifying a current setting of a dynamic

characteristic (see column 7 lines 44-53, "display sizes, color palettes, font or font

size") of the application requesting the data (see column 7 lines 14-16, "client

device characteristics"); and (c) receiving data (see column 7 lines 8-10,

"appropriate HTML page or web application") from the server ("web server 111")

responsive to the request ("HTTP request"), wherein the received data

("appropriate HTML page or web application") is formatted (see column 7 lines 33-

38, "reformatted") in accordance with the header information ("HTTP header

information").

As per claim 2, the Himmel reference discloses said request ("HTTP

request") is formulated by said browser program module ("client browser 151")

pursuant to a HyperText Transfer Protocol (HTTP) (see column 1 lines 13-18,

"HTTP").

As per claim 3, the Himmel reference discloses said request ("HTTP request") further includes an HTTP User-agent (see column 5 lines 54-56, "client-smart agent") header ("HTTP header information") identifying said web browser ("client browser type and operating system") to said server (see column 5 lines 52-54, "HTTP server").

As per claim 4, the Himmel reference discloses said header information (see column 5 lines 56-59, "header information") identifies said application ("Netscape Navigator browser for Windows 95").

As per claim 5, the Himmel reference discloses said header information (see column 5 lines 56-59, "header information") identifies a version ("version level") of said application ("Netscape Navigator browser for Windows 95").

As per claim 6, the Himmel reference discloses said header information (see column 9 lines 28-30, "header information") identifies a language setting ("language version") of said application ("browser").

As per claim 7, the Himmel reference discloses said header information (see column 9 lines 28-30, "header information") identifies a locale setting ("locale information") of said application ("browser").

As per claim 9, the Himmel reference discloses said header information (see column 9 lines 25-30, "header information") identifies a user interface characteristic ("monitor size, font size") of said application ("client device").

As per claim 10, the Himmel reference discloses said header information ("header information") identifies a physical property (see column 7 lines 44-53, "display sizes, screen sizes color palettes, font or font size") of a device ('client") on which said application ("browser") operates.

As per claim 11, the Himmel reference discloses said header information ("header information") identifies a characteristic of a graphical display area (see column 7 lines 44-53, "display sizes, screen sizes, color palettes, font or font size") used by said application ("client device").

As per claim 12, the Himmel reference discloses said characteristic of said graphical display area (see column 7 lines 44-53, "display sizes, screen sizes, color palettes, font or font size") is a size ("display sizes, screen sizes") of said graphical display area ("client device").

As per claim 13, the Himmel reference discloses said characteristic of said graphical display area (see column 7 lines 44-53, "display sizes, screen sizes, font

or font size") is a resolution ("color palettes") of said graphical display area ("client

device").

As per claim 15, the Himmel reference discloses said characteristic is a font

(see column 52-53, "font or font size") used by said application ("browser").

As per claim 16, the Himmel reference discloses at least portions (see

column 6 lines 51-55, "client-snooper agent 159") of said browser program module

(see column 6 lines 46-49, "client browser 151") are incorporated within said

application ("client device").

As per claim 17, the Himmel reference discloses said header information

(see column 9 lines 28-30, "header information") identifying a characteristic of the

application (see column 7 lines 14-16, "client device characteristics") identifies a

user preference ("language version, locale information") for said application

("browser").

As per claim 18, the Himmel reference discloses a computer-readable

medium (see column 4 lines 17-22, "computer-readable memory") having computer-

executable instructions (see column 4 lines 14-17, "set of instructions 48-52") for

performing the steps recited in claim 1.

As per claim 19, the Himmel reference discloses a portable computing device including a computer-readable medium (see column 4 lines 17-22, "computer-readable memory") having computer-executable instructions (see column 4 lines 14-17, "set of instructions 48-52"), said portable computing device (see column 9 lines 40-44, "palmtops, laptops") being configured to allow a user of said device ("palmtops, laptops") to access textual information (see column 4 lines 49-54, "best format and content to be optimally read, interpreted and displayed") provided by said server ("server").

As per claim 22, the Himmel reference discloses a method for providing information on the Internet, comprising the steps of: a) receiving, from a browser program module (see column 6 lines 46-49, "client browser 151"), a request ("HTTP request") for a web page ("URL, Web application"); b) examining said received request ("HTTP request") for header information (see column 6 lines 49-51, "HTTP header information") identifying said web browser ("client browser 151"); c) examining said received request ("HTTP request") for header information ("HTTP header information") identifying a status of a user-configurable setting for an application (see column 6 lines 22-27, "screen size, input devices") for which said web browser ("client browser 151") sent said request ("HTTP request"); d)

transmitting a response (see column 8 lines 1-13, "URL") to said browser program

module ("client browser 151"), wherein said response includes a version (see column

7 lines 33-35, "appropriate page") of said web page ("URL") in accordance with said

status ("information from the parsing"); e) receiving, from said browser program

module ("client browser 151"), information indicating that said status of said user-

configurable setting has been changed ("information from the parsing"); and f)

automatically transmitting a second version ("dynamically reformatted") of said

web page ("HTTP request") to said program module ("client browser 151"), said

second version ("dynamically reformatted") differing from said first version

("appropriate page") in accordance with said change ("information from the

parsing") in said status of said user-configurable setting ("screen size, input

devices").

As per claim 23, the Himmel reference discloses said header information

("header information") identifies a size of a graphical display area (see column 7

lines 44-53, "display sizes, screen sizes, color palettes, font or font size") to be

used by said application ("browser, client device") to display a web page (see column

5 lines 48-49, "pages").

As per claim 24, the Himmel reference discloses said header information ("header information") identifies a font (see column 52-53, "font or font size") used by said application ("browser").

As per claim 26, the Himmel reference discloses said header information ("header information") identifies a property (see column 7 lines 44-53, "display sizes, screen sizes color palettes, font or font size") of a physical device ("client") or network used by said application ("browser").

As per claim 27, the Himmel reference discloses further comprising the step of selecting a version of said requested web page (see column 6 lines 33-35, "appropriate web page") from a plurality of versions of said requested web page (see column 5 lines 48-50, "different pages") for transmission to said browser program module (see column 6 lines 46-49, "client browser 151"), wherein said step of selecting is in accordance with said header information (see column 6 lines 49-51, "HTTP header information").

As per claim 28, the Himmel reference discloses further comprising the steps of: a) retrieving said requested web page (see column 6 lines 7. lines 8-10, "appropriate HTML page or web application format"); and b) modifying said requested web page (see column 6 lines 33-35, "redirects to appropriate web

page") in accordance with said header information (see column 7 lines 14-16, "HTTP

for browser information").

As per claim 29, the Himmel reference discloses further comprising the step

of gathering statistical information (see column 8 lines 6-13, "PalmTop computers,

WebTV, personal computer") regarding applications ("browser") that request said

requested web page ("URL").

As per claim 30, the Himmel reference discloses said statistical information

relates to a characteristic (see column 8 lines 6-13, "PalmTop computers, WebTV,

personal computer"), configuration, or state of the applications that request said

requested web page ("URL").

As per claim 31, the Himmel reference discloses said request ("HTTP

request") is a HyperText Transfer Protocol (HTTP) request (see column 1 lines 13-

18, "HTTP").

As per claim 32, the Himmel reference discloses said header information

("HTTP header information") identifying said browser program ("client browser

type and operating system") is an HTTP User-agent (see column 5 lines 54-56,

"client-smart agent").

As per claim 33, the Himmel reference discloses a computer-readable

medium (see column 4 lines 17-22, "computer-readable memory") having computer-

readable instructions (see column 4 lines 14-17, "set of instructions 48-52") for

executing the steps recited in claim 22.

As per claim 34, the Himmel reference discloses a computing device

communicatively connected to a network, comprising: a processing unit (see column

3 lines 29-42, "microprocessor 22"); and one or more memories ("ROM 23, RAM

24"), wherein said one or more memories ("ROM 23, RAM 24") store a program

module containing computer-executable instructions (see column 4 lines 14-17, "set

of instructions 48-52") for performing the following steps: receiving, via said

network ("Internet"), a request (see column 6 lines 46-49, "HTTP request") for a

web page (see column 5 lines 48-49, "URL") from a web browser ("client browser

151"), wherein said request ("HTTP request") includes header information (see

column 6 lines 49-51, "HTTP header information") identifying a current setting of a

dynamic characteristic (see column 7 lines 44-53, "display sizes, color palettes,

font or font size") of an application (see column 7 lines 14-16, "client device,

browser") for which said web browser ("client browser 151") generated said

request ("HTTP request"); and transmitting said requested web page ("URL")

responsive to said request ("HTTP request").

As per claim 35, the Himmel reference discloses further comprising the step

of selecting a first version of said requested web page (see column 6 lines 33-35,

"appropriate web page") from a plurality of versions of said requested web page

(see column 5 lines 48-50, "different pages") stored in said one or more memories

("ROM 23, RAM 24") for transmission responsive to said request ("HTTP request"),

wherein said step of selecting is performed in accordance with said header

information (see column 6 lines 49-51, "HTTP header information") identifying a

characteristic of said application ("browser, client device").

As per claim 36, the Himmel reference discloses said header information

("header information") identifies a size (see column 7 lines 44-53, "display sizes,

screen sizes, font or font size") or resolution ("color palettes") of said graphical

display area ("client device") used by said application ("browser").

As per claim 37, the Himmel reference discloses further comprising the

steps of: a) retrieving said requested web page (see column 6 lines 7 lines 8-10,

"appropriate HTML page or web application format") from said one or more

memories ("ROM 23, RAM 24"); and b) modifying said requested web page (see

column 6 lines 33-35, "redirects to appropriate web page") in accordance with said

header information (see column 7 lines 14-16, "HTTP for browser information")

identifying a characteristic of said application ("client device characteristics")

prior to said of transmitting.

As per claim 38, the Himmel reference discloses a computing device

communicatively connected to a network, comprising: a processing unit (see column

3 lines 29-42, "microprocessor 22"); and one or more memories ("ROM 23, RAM

24"), wherein said one or more memories ("ROM 23, RAM 24") store a browser

program module (see column 6 lines 46-49, "client browser 151") containing

computer-executable instructions (see column 4 lines 14-17, "set of instructions

48-52") for generating requests (see column 6 lines 46-49, "HTTP request") for

information from said network, said requests having headers (see column 6 lines

49-51, "HTTP header information"), and for performing the following steps:

receiving, from an application program module ("client browser 151"), a request

("HTTP request") for a web page (see column 5 lines 48-49, "URL") available via

said network; preparing a network request ("HTTP request") for said web page

("URL"), said network request ("HTTP request") including header information

("HTTP header information") identifying a current setting of a dynamic

characteristic (see column 7 lines 44-53, "display sizes, color palettes, font or font size") of said application program module (see column 7 lines 14-16, "client device, browser"); and transmitting said network request ("HTTP request").

As per claim 39, the Himmel reference discloses said header information ("header information") identifies a size (see column 7 lines 44-53, "display sizes, screen sizes, font or font size") or resolution ("color palettes") of said graphical display area ("client device") used by said application program module ("browser").

As per claim 40, the Himmel reference discloses a computing system for requesting and displaying web pages using the Internet, comprising: a) a user device application (see column6 lines 31-33, "clients 101-107") communicatively coupled to said Internet ("Internet 109"), said user device "clients 101-107" including a processor (see column 3 lines 29-42, "microprocessor 22") and a memory ("ROM 23, RAM 24") storing a program module containing computer-executable instructions (see column 4 lines 14-17, "set of instructions 48-52") for performing the following steps: i) generating an Internet request ("HTTP request") for a web page (see column 5 lines 48-49, "URL"), wherein said Internet request("HTTP request") includes header information ("HTTP header information") identifying a characteristic of a display area ("client device characteristics") used by an

application operating on said processor ("microprocessor 22") of said user device

("clients 101-107"); and ii) transmitting said Internet request ("HTTP request") to

said Internet; and b) a server device ("HTTP server 165") communicatively coupled

to said Internet ("Internet 109"), said server device including a processor (see

column 3 lines 29-42, "microprocessor 22") and a memory ("ROM 23, RAM 24")

storing a program module containing computer-executable instructions (see column

4 lines 14-17, "set of instructions 48-52") for performing the following steps: i)

receiving, via said Internet ("Internet 109"), said Internet request ("HTTP

request"); and ii) transmitting a version of said requested web page ("URL")

responsive to said Internet request ("HTTP request"), wherein said version (see

column 8 lines 6-13, "URL") is determined in accordance with said header

information ("HTTP header information").

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which

> said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN

6,167,441 to Himmel in view of USPN 6,532,493 B1 to Aviani, Jr. et al.

As per claim 8, the Himmel reference discloses a method of obtaining data

for an application from a server using a browser program module for accessing

information from the server by forming a request having a header, comprising the

steps of: (a) said browser program module (see column 6 lines 46-49, "client

browser 151") receiving, from the application (see column6 lines 31-33, "clients 101-

107"), a request for data ("HTTP request") offered by the server ("web server

111"); (b) transmitting, from the browser program module ("client browser 151"), a

request for the data ("HTTP request") to the server ("web server 111"), wherein

the request ("HTTP request") includes header information (see column 6 lines 49-

51, "HTTP header information") identifying a characteristic (see column 7 lines 44-

53, "display sizes, color palettes, font or font size") of the application (see column

7 lines 14-16, "client device characteristics"); and (c) receiving data (see column 7

lines 8-10, "appropriate HTML page or web application") from the server ("web

server 111") responsive to the request ("HTTP request"), wherein the received data

("appropriate HTML page or web application") is formatted (see column 7 lines 33-

38, "reformatted") in accordance with the header information ("HTTP header information"), wherein said header information identifies a characteristic of a network condition.

The Himmel reference does not expressly disclose said header information identifies a characteristic of a network condition.

The Aviani, Jr. et al. reference discloses

(see column 8 lines 12-16, "recognize certain types of traffic by reference to … the HTTP header …")

(see column 8 lines 41-65, "Identifying information associated with the request … this identifying information is in the request's HTTP header.")

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the HTTP header taught by the Himmel reference with the HTTP header taught by the Aviani, Jr. et al. reference to introduce other fields into the HTTP header.

One of ordinary skill in the art would have been motivated to introduce other fields into the HTTP header to provide specific fields in the HTTP header to take advantage of special processing services provided by the server.

12.   Claims 14 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable

over USPN 6,167,441 to Himmel in view of USPN 6,532,493 B1 to Aviani, Jr. et al.

as applied to claim 8 above, and further in view of US Pub. No. 2002/0026491 A1

to Mason et al.

As per claim 14, the Himmel reference discloses a method of obtaining data

for an application from a server using a browser program module for accessing

information from the server by forming a request having a header, comprising the

steps of: (a) said browser program module (see column 6 lines 46-49, "client

browser 151") receiving, from the application (see column6 lines 31-33, "clients 101-

107"), a request for data ("HTTP request") offered by the server ("web server

111"); (b) transmitting, from the browser program module ("client browser 151"), a

request for the data ("HTTP request") to the server ("web server 111"), wherein

the request ("HTTP request") includes header information (see column 6 lines 49-

51, "HTTP header information") identifying a characteristic (see column 7 lines 44-

53, "display sizes, color palettes, font or font size") of the application (see column

7 lines 14-16, "client device characteristics"); and (c) receiving data (see column 7

lines 8-10, "appropriate HTML page or web application") from the server ("web

server 111") responsive to the request ("HTTP request"), wherein the received data

("appropriate HTML page or web application") is formatted (see column 7 lines 33-

38, "reformatted") in accordance with the header information ("HTTP header

information"), wherein said header information identifies a characteristic of an

audio capability of said application.

The Himmel reference does not expressly disclose said header information

identifies a characteristic of an audio capability of said application.

The Aviani, Jr. et al. reference discloses

(see column 8 lines 45-50, "... identifying information is in the request's

HTTP header ... other fields may be introduced into the HTTP header ... ")

(see column 8 lines 53-64, "... request from palmtop browser for which image

distillation is required ... devices requiring special processing ... provide specific

fields in the HTTP header ...")

The Mason et al. reference discloses

(see page 2 [0013], "... generating a request ... generating a response ... based

on the request ... determining the response type ... if the response type is audio,

then the user message is displayed as audio ...")

At the time the invention was made, it would have been obvious to a person

of ordinary skill in the art to modify the HTTP header taught by the Himmel

reference with the HTTP header taught by the Aviani, Jr. et al. reference to

introduce other fields into the HTTP header, such as the audio response type

taught by the Mason et al.

One of ordinary skill in the art would have been motivated to introduce

other fields into the HTTP header to offer great flexibility that is not only

permissible, but also easily implemented.

As per claim 25, the Himmel reference does not disclose said header

information identifies user interface theme of said application.

13.   Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN

6,167,441 to Himmel in view of logical reasoning.

As per claim 20, the Himmel reference does not expressly disclose said

application is a reader application for reading textual information.

The Himmel reference discloses

(see column 9 lines 40-44, "The invention is widely applicable to a variety of

web applications... international applications ... ")

However, it would have been logical for one of ordinary skill in the art to

practice, with modification, the invention taught by the Himmel reference in other

environments.

At the time the invention was made, it would have been obvious to a person

of ordinary skill in the art to tailor a variety of Web content for display/playback

in a variety of client devices.

One of ordinary skill in the art would have been motivated to tailor a variety

of Web content for display/playback in a variety of client devices to support a

multitude of different client devices for Internet applications.

Conclusion

14.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

The following references are cited to further show the state of the art with

respect to demand based messaging in general:

USPN 6,631,466 B1 to Chopra et al.

US Pub. No. 2004/0193695 A1 to Salo et al.

15.   Applicant's amendment necessitated the new ground(s) of rejection

presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**.

See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as

set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the

advisory action is not mailed until after the end of the THREE-MONTH shortened

statutory period, then the shortened statutory period will expire on the date the

advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the date of

this final action.

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Crystal J. Barnes whose telephone number is

571.272.3679. The examiner can normally be reached on Monday-Friday alternate

Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Anthony Knight can be reached on 571.272.3687. The fax

phone number for the organization where this application or proceeding is assigned

is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR

only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR system,

contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anthony Knight
Supervisory Patent Examiner
Group 3600

CJB
2 March 2005